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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/482,181	01/12/2000	Daniel Esbensen	TOUC.022us2	6651

7590 12/31/2001

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EXAMINER
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AN, SHAWN S

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 12/31/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.  
09/482,181

Applicant(s)  
Daniel Esbensen

Examiner  
Shawn An

Art Unit  
2613



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Oct 16, 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-20 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 20) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Response to Amendment***

1. As per Applicant's instructions in Paper 8 as filed on 10/16/01, claim 11 has been canceled.

### ***Response to Remarks***

2. Applicant's arguments with respect to claims 1-10 and 12-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite.  
Claim 9 recites the limitation "said deriving" in line 1. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 1-6, 9-10, and 12-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaios (6,271,752 B1) in view of Garland et al (6,144,772).

Vaios discloses a method for surveillance, comprising: capturing a plurality of still frames (Fig. 4, 306); transmitting the sequence to a camera coordinator (12); determining, whether an incident is associated with one or more frames in the sequence (Fig. 4, 304); transmitting the sequence to an image server (col. 3, lines 24-26); storing the sequence to an image server (308); and providing the sequence to one or more clients for viewing by a user (Fig. 1, element 8; col. 3, lines 17-23) as specified in claims 1, 16, and 17.

Vaios does not specifically disclose generating a full frame and a plurality of differential frames, wherein a pixel in the differential frame that is within a threshold of a corresponding pixel in a preceding frame is set to transparent, and computing a difference indicating a degree of change from a preceding frame. However, Garland et al discloses the well known compression encoding of digitized images (Fig. 6) comprising a full frame (616) and computing one or more subsequent differential frame (618), wherein a pixel in the differential frame that is within a threshold of a corresponding pixel in a preceding frame is set to transparent (Fig. 8, 818) as also specified in claims 4 and 10. Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for surveillance as taught by Vaios to incorporate the well known concept comprising a full frame and computing one or more subsequent differential frames, wherein a pixel in the differential frame that is within a threshold of a corresponding pixel in a preceding frame is set to transparent as taught by Garland et al, so as to simply compute a percentage difference indicating a degree of change from a preceding frame as also specified in claims 9 and 18, in order to set the threshold in which a percentage change above the threshold as having the incident or a percentage change below the threshold as having no incident (motion), and for obtaining a lower bit requirements in an encoding process, thus a high compression for differential frames can be obtained.

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Moreover, the Applicant's last attempt to argue Garland's reference as being directed to still images is totally invalid, in view of the Applicant's disclosure (page 14, lines 8-9, "...a still image compression routine").

Regarding claims 2, 14, 19, and 20, it is considered an obviously inherent features for an image server to store images in a format designed for still image display, such as well known client browser, and/or designed for a storage of sequences for which incidents were detected for later transmission as specified.

Regarding claims 3 and 5-6, Garland discloses allowing for a pixel to be encoded/compressed as a transparent pixel (822). Therefore, it is considered an inherently obvious feature for an image server to store images in a format designed for still image display, such as well known client browser, so that a client views all using a well known image encoding format for still image (JPEG) display.

Regarding claim 12, Vaios discloses Internet browsing (6 and 16) as specified.

Regarding claim 13, Vaios discloses storing the sequence at the camera coordinator (308) as specified.

Regarding claim 15, Vaios discloses the image server including a network interface (14) allowing for multiple simultaneous client connections.

7. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaios as applied to claim 2 above, respectively, and further in view of Cronin III et al (6,182,127 B1).

Vaios does not specifically disclose the well known PNG and GIF still image format. However, Cronin discloses common PNG and GIF still image format (Col. 4, lines 5-26) as specified in claims 7 and 8. Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for surveillance as taught by Vaios to incorporate the well known PNG and GIF still image format as taught by Cronin et al for flexibility in displaying the formatted view as in PNG or GIF.


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***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

- A) Huang et al (5,953,055), System and method for detecting and analyzing a queue.
- B) Harman et al (4,249,207), Perimeter surveillance system.
- C) Boyette (5,097,328), Apparatus and a method for sensing events from a remote location.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawn An whose telephone number is (703) 305-0099.

  
CHRIS KELLEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

  
SSA

December 22, 2001